

EXHIBIT A

C/O BITEA DISCOVER 1278214

MARK WAYNE STIFFLER,
Plaintiff

vs.

ENCORE RECEIVABLE
MANAGEMENT, INC.

Defendant

MAY - 4 2009

: IN THE COURT OF COMMON PLEAS
: OF CAMBRIA COUNTY, PENNSYLVANIA

: CIVIL ACTION - LAW

2009-2088

: FOR ARBITRATION

: COMPLAINT

: COUNSEL OF RECORD FOR PARTY

: James Vincent Natale, Esq.
: ID #208790
: Harold Shepley & Assoc., LLC
: 209 West Patriot St.
: Somerset, PA 15501
: (814) 444-0500

FILED FOR RECORD
09 APR 27 PM 12:32
PROTHONOTARY
CAMBRIA COUNTY, PA

EXTRACT FROM THE RECORD

CERTIFIED THIS 22nd DAY OF

April A.D. 2009
Patty Barkley
PROTHONOTARY

	:	IN THE COURT OF COMMON PLEAS
	:	CAMBRIA COUNTY,
	:	PENNSYLVANIA
MARK WAYNE STIFFLER	:	
Plaintiff	:	
	:	CIVIL ACTION - LAW
	:	
v.	:	NO.
	:	
	:	
ENCORE RECEIVABLE	:	
MANAGEMENT, INC.	:	
Defendant	:	

NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Laurel Legal Services, Inc.
Name

225-227 Franklin Street, Suite 400 Franklin Center, Johnstown, Pennsylvania 15901-2524
Address

(814) 536-8917
Telephone

**IN THE COURT OF COMMON PLEAS OF
CAMBRIA COUNTY, PENNSYLVANIA**

MARK WAYNE STIFFLER	:	
Plaintiff	:	CIVIL ACTION - LAW
	:	
v.	:	NO.
	:	
	:	
ENCORE RECEIVABLE	:	
MANAGEMENT, INC.	:	
Defendant	:	
	:	

COMPLAINT

1. Plaintiff, Mark Wayne Stiffler, is an adult individual residing at 515 Jackson Street, Gallitzin, Pennsylvania, 16641 and is a "consumer" within the meaning of the Fair Debt Collection Practices Act ("FDCPA").

2. Defendant, Encore Receivable Management, Inc., is a debt collector as defined in the FDCPA with its principal place of business located at P.O. Box 47248, Oak Park, MI 48237.

COUNT I

1. Defendant repeatedly contacted the Plaintiff by telephone.

2. In March of 2009, Defendant contacted the Plaintiff. The Plaintiff informed Defendant that he was represented by legal counsel, that that Defendant should cease contacting him, and he provided Defendant with the contact information for the law firm.

3. On or about March 18, 2009, Defendant was notified in writing that Plaintiff was represented by legal counsel and that Defendant should cease contacting Plaintiff.

4. Despite written and verbal notification, Defendant continued to contact the Plaintiff.

5. The Plaintiff continued to inform the Defendant that he was represented by legal counsel, that that Defendant should cease contacting him, and he provided Defendant with the contact information for the law firm.

6. On or about April 3, 2009, a representative of the law firm contacted Defendant. The representative of the law firm informed Defendant that the Plaintiff was represented by legal counsel and that Defendant should cease contacting the Plaintiff.

7. On or about April 3, 2009, the representative also faxed to Defendant the power of attorney and cease and desist letters pertaining to the Plaintiff.

8. Despite receiving several verbal and written notifications, Defendant continued to contact the Plaintiff by telephone in violation of the Fair Debt Collection Practices Act. 15 U.S.C. § 1692c(a)(2).

WHEREFORE, the Plaintiff demands judgment in the amount of \$5,000.00 for statutory and actual damages, plus reasonable attorney's fees and costs and for such other relief as may be

just and proper.

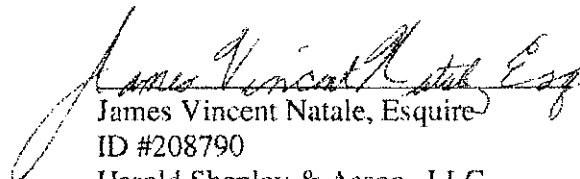
COUNT II

1. Between August of 2008 to April of 2009, the Defendant caused the Plaintiff's telephone to ring on at least two occasions each week and the Defendant repeatedly attempted to engage the Plaintiff in telephone conversation.

2. The Defendant's actions demonstrate an intent to annoy, abuse, and harass the Plaintiff in violation of the Fair Debt Collection Practices Act. 15 U.S.C. §1692d(5).

WHEREFORE, the Plaintiff demands judgment in the amount of \$5,000.00 for statutory and actual damages, plus reasonable attorney's fees and costs and for such other relief as may be just and proper.

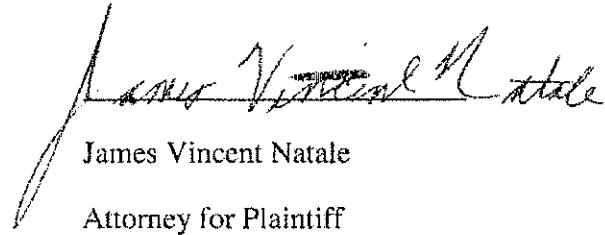
Respectfully submitted,


James Vincent Natale, Esquire
ID #208790
Harold Shepley & Assoc., LLC
209 West Patriot St.
Somerset, PA 15501
(814) 444-0500
Attorney for Plaintiff

VERIFICATION

JAMES VINCENT NATALE, ESQUIRE, hereby states that he is the attorney for the Plaintiff in this action and verifies that the statements made in the forgoing pleading are true and correct to the best of his knowledge, information and belief.

The undersigned understands that the statements herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities.


James Vincent Natale
Attorney for Plaintiff